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SUBJECT: GEORGIA: PRESENTATION ON CRIMINAL SYSTEM REFORM
HIGHLIGHTS AMBITIOUS SCOPE

¶1. (SBU) Summary and Comment. Representatives of the interagency council to reform Georgia's criminal justice system, established by Presidential decree in 2008, gave a presentation to diplomats and civil society representatives on a broad range of ongoing reforms in areas of juvenile justice, probation, the penal code, and legal aid August 5. The reforms feature progressive legislation that seeks to comply with international standards and to increase the efficiency and accountability of Georgia's justice system. The presentation stressed the transparency of the reform process and welcomed constructive criticism from a wide range of interested parties, including the Georgia Bar Association and local NGOs. While many of the details are yet to be worked out, the Council's reforms have an ambitious scope and post is monitoring and supporting the legislative process that will implement them. End Summary and Comment.

FOUR WORKING GROUPS OUTLINE VISION FOR REFORM

¶2. (SBU) In December 2008, President Saakashvili signed a decree, supported by the European Commission, to establish a Criminal Justice Reform InterAgency Coordination Council to elaborate and implement broad reform in Georgia's criminal justice system. The Council created four working groups to handle areas of juvenile justice, the penitentiary system, probation, and legal aid. The presentation of the Council's activities featured representatives from each of the working groups outlining the specific objectives of each group and the general time-frame for implementing their strategies and action plans. The Council has laid out a five year plan for full implementation of the reform process.

¶3. (SBU) Kerry Neal from UNICEF discussed juvenile justice and stressed the need to create a system that complies with international standards and norms focused on prevention, rehabilitation and integration. Reforms in this sphere will focus on tailoring programs for at-risk children, and developing alternative schemes for less serious child offenders to prevent them from establishing a criminal record. Reintegration programs will provide education, public awareness programs, and workforce skills such as auto-repair. One of the working group's main goals is to press for the increase in age of criminal responsibility from age 12 to 14 years. Neal expressed confidence that the GOG is committed to this reform.

¶4. (SBU) Giorgi Jokhadze from the Ministry of Justice focused on penal system reform, which seeks to revise Georgia's Code of Imprisonment. Major goals include improved prison conditions, addressing overcrowding, prisoner access to health care and increased inspections and monitoring. The reforms will feature increased labor opportunities for inmates, and educational opportunities for juveniles. Based on the EU model, a new penitentiary system will reduce overcrowding and provide provisions for monitored parole

release. Stronger legal safeguards will ensure a complaint procedure and appropriate disciplinary proceedings. A National Preventive Group will be created to inspect prisons and provide uniform standards of oversight against prisoner abuse (septel).

15. (SBU) Rait Kuuse of Penal Reform International and the EU Project for Capacity Building in Support of Rule of Law in Georgia discussed probation service reform. Under the new law, the Probation Service will be a separate legal entity under the Ministry of Corrections and Legal Assistance, with regional probation bureaus and offices established to reduce the caseloads per officer. The legislative framework Qthe caseloads per officer. The legislative framework regulating probation will include pre-sentence reporting and electronic monitoring. The Ministry will provide in-service training to probation officers, specializing in juveniles and young offenders. The supervision system will be modernized with electronic systems, fingerprint analysis, and risk-assessment. Rehabilitation programs will increase offender involvement in planning and implementation of his or her probation, while NGOs will pilot projects to increase community service in different areas of the country.

16. (SBU) Irakli Kobidze of the Legal Aid Service discussed his working group, which focused on increasing accessibility and quality of legal aid. New reforms will develop infrastructure, provide modern equipment, guarantee contracted lawyers, and raise public awareness.
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